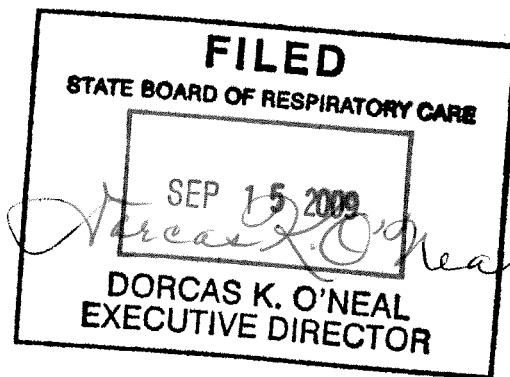


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF)

) Administrative Action

) DERRICK CHILDS)

) CONSENT ORDER

) LICENSE NO.)

) 43ZA00492200)

) LICENSED TO PRACTICE)

) RESPIRATORY CARE IN THE)

) STATE OF NEW JERSEY)

This matter was opened to the New Jersey State Board of Respiratory Care (Board) upon receipt of information that Derrick Childs (Respondent) pled guilty on June 30, 2008, to a possession of marijuana charge under N.J.S.A. 2C:35-10A(4) in municipal court, in the Borough of Princeton, NJ. Respondent appeared before the Board for an investigative inquiry on August 5, 2008, to discuss Respondent's guilty plea. Respondent testified that the marijuana located in his car was not his and he was unaware of its presence in his car when he voluntarily agreed to a police search of his vehicle. As a result of Respondent's testimony at the investigative inquiry and a review of documents submitted to the

Board, the Board found that Mr. Childs has the ability to continue to safely practice respiratory care, based on certain conditions which are set forth herein and Mr. Childs represented to the Board that he is willing to comply with the conditions set forth in this Order.

The Board finds there is a basis to impose disciplinary action based on Respondent's conviction of a crime relating adversely to the practice of respiratory care pursuant to N.J.S.A. 45:1-21(f) and the parties being desirous of resolving this matter, and the Board finding that the within Consent Order is adequately protective of the public interest;

IT IS ON THIS *15th* DAY OF *Sept.*, 2009,
HEREBY ORDERED THAT:

1. Mr. Childs shall refrain from using any alcohol and all controlled substances or potentially addictive substances except as duly prescribed by a treating health care practitioner. Mr. Childs shall report to the Board in writing within five (5) days of receiving such a prescription together with the name(s) of the prescribing physician/dentist/advanced practice nurse or other authorized prescriber and the reason for its use.

2. Mr. Childs shall undergo random observed urine monitoring, testing for alcohol and controlled drugs, with Concorde Inc. or an alternate entity pre-approved by the Board, once per

week for three consecutive weeks to begin within one week from the date this Order is filed.

3. Mr. Childs shall be responsible to ensure that Concorde Inc., located at 1835 Market St., Philadelphia, PA and/or any other urine screening agency, pre-approved by the Board, that he utilizes as a result of this Consent Order shall supply copies of all urine monitoring test reports (testing for alcohol and controlled drugs) to the Board.

4. Mr. Childs expressly waives any claim to privilege or confidentiality that he may have concerning reports and disclosures to the Board, and use by the Board of that information in license proceedings regarding him, including reports and disclosures by the urine monitoring program, or any other person or entity involved in his monitoring program.

5. All costs associated with the monitoring outlined above shall be the responsibility of, and paid directly by, Mr. Childs.

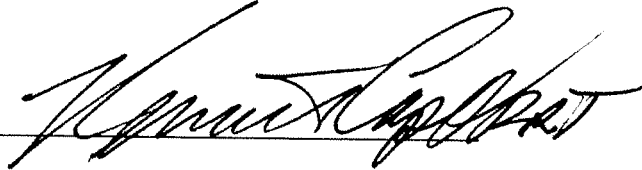
6. Mr. Childs hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Mr. Childs has failed to comply with any of the conditions set forth above, any other provision of this Order, or any report of a confirmed positive urine, or a prima facie showing of abuse of alcohol or abuse of controlled substances.

7. Mr. Childs shall have the right to apply for removal of the automatic suspension on five (5) days' notice but in such event shall be limited to a showing that the urine tested was not his or was a false positive in the case of urine testing, or that other information submitted was false.

8. This Order is effective upon its filing with the Board of Respiratory Care.

STATE BOARD OF RESPIRATORY CARE

By: _____



Kenneth Capek, President

I have read and understand the within Order and agree to be bound by the terms therein. Consent is hereby given for the Board to enter this Order.



Derrick Childs

I have read and understand the within Order and agree to comply with the terms which relate to Concord Inc.

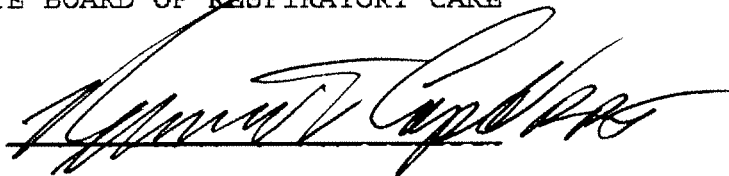
Arthur J. Cohen, Esq.
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Arthur J. Cohen, Esq.
Vice President of Operations & GC of Concorde Inc.